

<b>Interview Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/734,398		MEADOWS, RONALD C.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Anh D. Mai		2814	

All participants (applicant, applicant's representative, PTO personnel):

(1) Anh D. Mai. (3) \_\_\_\_\_

(2) David C. Hall, Reg. No. 38,904. (4) \_\_\_\_\_

Date of Interview: 04 April 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: \_\_\_\_\_

Identification of prior art discussed: 6,534,857.

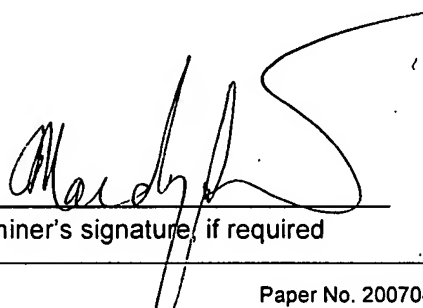
Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 \_\_\_\_\_  
 Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant argues that the Declaration filed under 35 C.F.R. 1.131 has overcome the reference to Morse -U.S. Patent No. 6,534,857 by showing conception and reduced to practice.

However, as clearly discussed in the Office Action mailed January 18, 2007, patent '857 has already claimed the same invention, thus, 1.131 is not available or ineffective to overcome the rejection.

Applicant further argues that, patent '857 does not claim "during RF operation", thus, not the same invention.

However, as has pointed out in the rejection, "same invention" means anticipated or made obvious. The Rejection further pointed out that, the term "during RF operation" is determined to be the intended use of the device, therefore, the device of patent '857 is obviously can be used during RF operation as well since these are the same device. Clearly, the claimed invention is being made obvious by the combination of the references.